

**MINUTES**  
**REGULAR MEETING OF THE CITY COUNCIL**  
**CITY OF MEMPHIS**

**June 21, 2016**

**3:30 P.M. SCHEDULED SESSION**

**3:30 P.M. MEETING COMMENCED**

**ROLL CALL:** Berlin Boyd, Frank Colvett, Jr., Janis Fullilove, Reid Hedgepeth, Martavius Jones, Worth Morgan, Patrice Robinson, Philip Spinoso, Jr., Jamita Swearengen and Vice Chairman Edmund Ford, Jr. Joe Brown, Bill Morrison and Chairman Kemp Conrad were absent.

**THE MEETING WAS CALLED TO ORDER  
BY SERGEANT-AT-ARMS**

**INVOCATION**

The meeting was opened with prayer by Rev. Pamela Atkins, from Living the Kingdom Life Baptist Church. Councilwoman Robinson presented Rev. Atkins with a certificate naming her Chaplain of the day.

**These minutes record the agenda items and the action taken by the Council on such items. The full text of the original of the ordinances, resolutions and supporting documents, including an audio recording of Council's deliberations are filed and maintained in the office of Council Records/Records Management, Room 2B-08. The original ordinances and/or resolutions adopted by the Council shall control in the event of any conflict between the description in these minutes and the original documents, ordinances and/or resolutions.**

**MINUTES**

Approval of the Minutes of the regular meeting of June 21, 2016 with the following motion:

**MOTION:** Robinson  
**SECOND:** Boyd  
**AYES:** Boyd, Colvett, Hedgepeth, Jones, Morgan, Robinson, Spinoso, Swearengen and Vice Chairman Ford  
Fullilove did not cast a vote  
Brown, Morrison and Chairman Conrad were absent

**APPROVED**

1. **RESOLUTION CONGRATULATING IAN CLARK FOR A RECORD BREAKING SEASON AS A PLAYER WITH GOLDEN STATE WARRIORS. THIS RESOLUTION IS SPONSORED BY COUNCILWOMAN SWEARENGEN.**

Held until July 5, 2016

3. **RESOLUTION APPROVING A STREET DEDICATION LOCATED SOUTH OF U.S. HWY 64 AT THE SOUTHERN TERMINUS OF ROLAND ROAD, CONTAINING 0.82 ACRE (35,720 SQ. FT.) IN THE RURAL, UNDEDICATED ROADBED IN CONSERVATION AGRICULTURAL (CA) DISTRICT. THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING & DEVELOPMENT. (HELD FROM 3/15)**

Case No. SD 16-01

Held September 20, 2016

2. **RESOLUTION TO CELEBRATE THE LIFE OF AND TO CONCUR WITH LIFELINE TO SUCCESS' SELECTION OF OFFICER VERDELL SMITH, AS ITS FATHER OF THE YEAR, AS PART OF THE "THOUSAND FATHERS MARCH". THIS RESOLUTION IS SPONSORED BY CHAIRMAN CONRAD.**

MOTION: Boyd

SECOND: Robinson

**APPROVED,** unanimous voice vote

**CONSENT AGENDA – Items 4 – 6 & #23, #24, & #25, may be acted upon by one motion: SEE PAGE 3769 FOR ROLL CALL**

4. **ORDINANCE TO AMEND ORDINANCE NO. 5586, REGARDING THE CITIZEN'S LAW ENFORCEMENT REVIEW BOARD, TO CONFORM WITH STATE AND MUNICIPAL LAW REGARDING OPEN MEETINGS AND SUBPOENA POWERS, AND FOR OTHER GENERAL MATTERS, UP FOR S E C O N D READING. ORDINANCE NO. 5620 IS SPONSORED BY COUNCILMAN MORGAN.**

**APPROVED,** on Second reading

5. **ORDINANCE REZONING 480 W. BROOKS ROAD (NORTH SIDE OF W. BROOKS ROAD; +/-107.60 FEET EAST OF FORD ROAD), CONTAINING 0.22 ACRE (9,583.20 SQ. FT.), IN THE RESIDENTIAL SINGLE FAMILY (R-6) DISTRICT, UP FOR S E C O N D READING. THIS ORDINANCE IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.**

Case No. Z 16-02

Ordinance No. 5621

**APPROVED,** on Second reading

6. **RESOLUTION APPROVING CLARKE ROAD INTERMODAL YARD, AND AUTHORIZING RELEASE OF BOND.**

Case No. PD 12-322  
(Contract No. CR-5197)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the east side of Clarke Road, 1320' north of E. Shelby Dr. The standard improvement contract was approved on June 18, 2013. Resolution also authorizes the release of the letter of credit in the amount of \$156,300.00.

City Engineer recommends approval

**APPROVED**

23. **REFERENDUM ORDINANCE AMENDING ARTICLE 65, SECTION 691 AND 693 OF THE CHARTER OF THE CITY OF MEMPHIS, SAME BEING CHAPTER 11 OF THE ACTS OF 1979, PURSUANT TO THE PROVISIONS OF ARTICLE 11, SECTION 9 OF THE CONSTITUTION OF THE STATE OF TENNESSEE HOME RULE AMENDMENT RELATIVE TO DISTRIBUTION OF PAYMENTS IN LIEU OF TAXES BY MLGW TO THE CITY OF MEMPHIS, UP FOR F I R S T READING. ORDINANCE NO. 5622 IS SPONSORED BY COUNCILMAN FORD.**

**APPROVED,** on First reading

24. **REFERENDUM ORDINANCE AMENDING ARTICLE 27, SECTION 190 OF THE CHARTER OF THE CITY OF MEMPHIS SAME BEING CHAPTER 11 OF THE ACTS OF 1879, PURSUANT TO THE PROVISIONS OF ARTICLE 11, SECTION 9 OF THE CONSTITUTION OF THE STATE OF TENNESSEE HOME RULE AMENDMENT SO AS TO REQUIRE THAT ALL EMPLOYEES MUST LIVE AND MAINTAIN A RESIDENCE WITHIN THE BOUNDARIES OF THE CITY OF MEMPHIS, TENNESSEE, UP FOR F I R S T READING. ORDINANCE NO. 5623 IS SPONSORED BY COUNCILMAN JONES.**

**APPROVED,** on First reading

25. **ORDINANCE TO AMEND THE COUNCIL MEETING DATES FOR AUGUST 2016 ONLY, FROM THE FIRST AND THIRD TUESDAY TO THE SECOND AND FOURTH TUESDAY IN AUGUST, UP FOR F I R S T READING. ORDINANCE NO. 5624 IS SPONSORED BY COUNCILMAN FORD.**

**APPROVED,** on First reading

**ROLL CALL CONSENT ITEMS**

MOTION: Boyd  
SECOND: Robinson  
AYES: Boyd, Colvett, Fullilove, Jones, Morgan, Robinson, Spinoso, Swearengen  
and Vice Chairman Ford  
Hedgepeth did not cast a vote  
Brown, Morrison and Chairman Conrad were absent

**APPROVED****FISCAL CONSENT AGENDA – Items 7 – 9 may be acted upon by one motion:**

7. **RESOLUTION SEEKING ACCEPTANCE FOR DONATION OF A BASKETBALL GOAL. THE DONATION HAS AN ESTIMATED VALUE OF \$180.00. THE DONOR IS BOBBY WHITE WITH THE BASKETBALL COP FOUNDATION FROM GAINESVILLE, FLORIDA. SEE ATTACHMENT A. THIS RESOLUTION IS SPONSORED BY POLICE SERVICES.**

**APPROVED**

8. **RESOLUTION SEEKING ACCEPTANCE OF A DONATION IN THE AMOUNT OF \$175.00 FROM THOMAS AND CAROLYN BENDALL, AS AWARDED TO THE CITY OF MEMPHIS POLICE DEPARTMENT FOR C.O.P. FASHION SHOW. THIS RESOLUTION IS SPONSORED BY POLICE SERVICES.**

**APPROVED**

9. **RESOLUTION SEEKING ACCEPTANCE OF A DONATION IN THE AMOUNT OF \$625.00 FROM 100 CLUB OF MEMPHIS, AS AWARDED TO THE CITY OF MEMPHIS POLICE DEPARTMENT FOR FAMILY DAY. THIS RESOLUTION IS SPONSORED BY POLICE SERVICES.**

**APPROVED****ROLL CALL FISCAL CONSENT ITEMS**

MOTION: Boyd  
SECOND: Morgan  
AYES: Boyd, Colvett, Fullilove, Hedgepeth, Jones, Morgan, Robinson, Spinoso,  
Swearengen and Vice Chairman Ford  
Brown, Morrison and Chairman Conrad were absent

**APPROVED**

**MLGW FISCAL CONSENT AGENDA – Items 10 - 15 may be acted upon by one motion:**

10. **RESOLUTION AWARDDING CONTRACT NO. 11888, UPS/PDU ELECTRIC OPERATIONS MAINTENANCE TO ELECTRONIC POWER SYSTEMS, INCORPORATED, IN THE FUNDED AMOUNT OF \$97,400.00.**

**APPROVED**

11. **RESOLUTION APPROVING CHANGE NO. 8 TO CONTRACT NO. 10863, BLUE PUMPKIN SOFTWARE LICENSE SUPPORT SERVICES, WITH VERINT, INCORPORATED, IN THE FUNDED AMOUNT OF \$945,625.64. (THIS CHANGE IS TO INCREASE THE CURRENT CONTRACT IN THE FUNDED AMOUNT OF \$74,989.09 TO COVER ANNUAL SOFTWARE MAINTENANCE AND SUPPORT SERVICES FOR THE CURRENT TERM ENDING JULY 31, 2017. THE AMOUNT TO COVER THE CURRENT CONTRACT TERM IS \$150,060.27; HOWEVER, THE CURRENT CONTRACT BALANCE IS \$75,071.28. THEREFORE, MLGW IS REQUESTING THE FUNDED AMOUNT OF \$74,989.09 TO COVER THE SHORTFALL WHICH WAS DUE TO AN UPGRADE IN THE EXISTING LICENSES. THE UPGRADE IN THE LICENSING RESULTED IN AN INCREASE IN THE COSTS OF ANNUAL MAINTENANCE AND SUPPORT SERVICES FOR THIS TERM. IN ADDITION, THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR ANNUAL SOFTWARE MAINTENANCE, SUPPORT, AND LICENSING FEES FOR THE PERIOD COVERING AUGUST 1, 2017 THROUGH JULY 31, 2022 IN THE FUNDED AMOUNT OF \$870,636.55.)**

**APPROVED**

12. **RESOLUTION APPROVING PAYMENT OF AN INVOICE FROM PLATTS, FOR ANNUAL SUBSCRIPTION SERVICES, IN THE FUNDED AMOUNT OF \$34,800.00.**

**APPROVED**

13. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11527, 10 MEGABITS PER SECOND (MBPS) METRO ETHERNET FOR LIQUIFIED NATURAL GAS (LNG) ARLINGTON, WITH AT&T, INCORPORATED, IN THE FUNDED AMOUNT OF \$10,800.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE SECOND AND FINAL RENEWAL TERM COVERING THE PERIOD JULY 23, 2016 THROUGH JULY 22, 2017, WITH NO INCREASE FROM THE PREVIOUS YEAR.)**

**APPROVED**

14. **RESOLUTION AWARDDING A CONTRACT TO LOGICALIS, INC., FOR CITRIX SOFTWARE SUBSCRIPTION RENEWAL, IN THE AMOUNT OF \$69,701.00.**

**APPROVED**

15. **RESOLUTION AWARDING A THIRTY-SIX MONTH CONTRACT FOR UTILITY BILL ENVELOPES, TO MAC PAPERS ENVELOPE CONVERTERS, IN THE AMOUNT OF \$504,637.56.**

**APPROVED**

**ROLL CALL MLGW FISCAL CONSENT ITEMS**

MOTION: Robinson  
SECOND: Spinosa  
AYES: Boyd, Colvett, Fullilove, Hedgepeth, Jones, Morgan, Robinson, Spinosa, Swearngen and Vice Chairman Ford  
Brown, Morrison and Chairman Conrad were absent

**APPROVED**

16. **ORDINANCE TO AMEND TITLE 5, CHAPTER 5-20 OF THE MEMPHIS MUNICIPAL CODE TO MODIFY THE USE OF THE EXISTING HOTEL/MOTEL OCCUPANCY TAX FOR THE PERIOD FROM DECEMBER 1, 2015 TO JUNE 30, 2016, UP FOR THIRD AND FINAL READING. ORDINANCE NO. 5619 IS SPONSORED BY FINANCE DIVISION.**

MOTION: Boyd  
SECOND: Swearngen  
AYES: Boyd, Colvett, Hedgepeth, Jones, Morgan, Robinson, Spinosa, Swearngen and Vice Chairman Ford  
Fullilove did not cast a vote  
Brown, Morrison and Chairman Conrad were absent

**APPROVED**

21. **AMENDED AND RESTATED RESOLUTION DETERMINING AND APPROVING THE TOTAL AMOUNT TO BE PAID AS A TAX EQUIVALENT FROM THE CITY'S GAS SYSTEM AND PROVIDING FOR THE ALLOCATION AND DISTRIBUTION OF THE TOTAL TAX EQUIVALENT PAYMENT AMONG THE CITY AND OTHER TAXING JURISDICTIONS IN SHELBY COUNTY FOR FISCAL YEAR 2016. THI RESOLUTION IS SPONSORED BY MLGW DIVISION.**

MOTION: Robinson  
SECOND: Jones  
AYES: Boyd, Colvett, Fullilove, Hedgepeth, Jones, Morgan, Robinson, Spinosa, Swearngen and Vice Chairman Ford  
Brown, Morrison and Chairman Conrad were absent

**APPROVED**

22. **RESOLUTION ACCEPTING A \$25,000.00 RECYCLING PARTNERSHIP GRANT TO ASSIST IN IN DEVELOPING AND MAINTAINING EDUCATION IN COMMUNITY OUTREACH FOR THE CITY OF MEMPHIS' RECYCLING PROGRAM. THIS RESOLUTION IS SPONSORED BY PUBLIC WORKS DIVISION.**

MOTION: Hedgepeth  
SECOND: Boyd  
AYES: Boyd, Colvett, Fullilove, Hedgepeth, Jones, Morgan, Robinson, Spinoso, Swearngen and Vice Chairman Ford  
Brown, Morrison and Chairman Conrad were absent

**APPROVED**

**(Special Item #1 – Councilwoman Swearngen made a motion to Suspend to the Rules and add funding to the Council's Budget for Summer Interns)**

MOTION: Swearngen  
SECOND: Robinson  
AYES: Boyd, Colvett, Fullilove, Hedgepeth, Jones, Morgan, Robinson, Swearngen and Vice Chairman Ford  
NAY: Spinoso  
Brown, Morrison and Chairman Conrad was absent

**APPROVED**

**(Special Item #2 – Councilwoman Swearngen made a motion to appropriate \$6450.00 in the City Council's FY2017 Budget to provide for (5) Summer Interns @ \$10.75 an hour, for 20 hours per week, for (6) weeks, commencing July 5, 2016 or \$1290.00 in total).**

MOTION: Swearngen  
SECOND: Colvett  
AYES: Boyd, Colvett, Fullilove, Hedgepeth, Jones, Robinson, Swearngen and Vice Chairman Ford  
NAY: Morgan  
Spinoso did not cast a vote  
Brown, Morrison and Chairman Conrad were absent

**APPROVED**

17. **RESOLUTION ADOPTING AND APPROVING THE REDEVELOPMENT PLAN KNOWN AS THE SOUTH CITY URBAN RENEWAL PLAN. THIS RESOLUTION IS SPONSORED BY HOUSING & COMMUNITY DEVELOPMENT.**

MOTION: Fullilove  
SECOND: Boyd  
AYES: Boyd, Colvett, Fullilove, Hedgepeth, Jones, Morgan, Robinson, Swearngen and

Vice Chairman Ford  
Spinosa did not cast a vote  
Brown, Morrison and Chairman Conrad were absent

**APPROVED**

18. **JOINT CITY COUNCIL AND MLGW BOARD RESOLUTION REQUESTING STRONG AFRICAN-AMERICAN-OWNED BUSINESS, WOMEN-OWNED BUSINESS, AND OTHER MINORITY OWNED BUSINESS PARTICIPATION GOALS FOR THE ALLEN POWER PLANT PROJECT. THIS RESOLUTION IS SPONSORED BY MLGW DIVISION.**

MOTION: Robinson  
SECOND: Hedgepeth  
AYES: Boyd, Colvett, Hedgepeth, Jones, Morgan, Robinson, Spinosa, Swearengen and Vice Chairman Ford  
Fullilove did not cast a vote  
Brown, Morrison and Chairman Conrad were absent

**APPROVED**

19. **RESOLUTION APPROVING A CONSTRUCTION PROJECT TO REHABILITATE A SANITARY SEWER LIFT STATION WITH THE RESTORATION OF EXISTING PUMPS, FORCE MAIN CLEANING, VALVES, AND CERTAIN OTHER APPURTENANCES AT THE HARBOR AVENUE LIFT STATION, IN THE AMOUNT OF \$4,620,000.00. THIS RESOLUTION IS SPONSORED BY PUBLIC WORKS DIVISION.**

MOTION: Hedgepeth  
SECOND: Boyd  
AYES: Boyd, Colvett, Fullilove, Hedgepeth, Jones, Morgan, Robinson, Spinosa, Swearengen and Vice Chairman Ford  
Brown, Morrison and Chairman Conrad was absent

**APPROVED**

20. **RESOLUTION TO PERMIT TRANSFER OF OWNERSHIP OF FRISCO 1351 LOCOMOTIVE TO THE CITY OF COLLIERVILLE, CONTINGENT UPON RESTORING AND MAINTAINING THE LOCOMOTIVE. THIS RESOLUTION IS SPONSORED BY LAW DIVISION.**

MOTION: Hedgepeth  
SECOND: Boyd  
AYES: Boyd, Colvett, Fullilove, Hedgepeth, Jones, Morgan, Robinson, Spinosa, Swearengen and Vice Chairman Ford  
Brown, Morrison and Chairman Conrad were absent



**APPROVED**

**(Special Item #3 – Councilwoman Fullilove made a motion to approve Same Night Minutes for Items #16, #21, #22, Special Item #1 and Special Item #2)**

MOTION: Jones  
SECOND: Boyd  
AYES: Boyd, Colvett, Fullilove, Jones, Morgan, Robinson, Spinosa, Swearengen and  
Vice Chairman Ford  
Hedgepeth did not cast a vote  
Brown, Morrison and Chairman Conrad were absent

**APPROVED**

**INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:**

Vice Chairman Ford recognized the following people who spoke from the audience:

Lee Cochran, 179 Richbriar Street, Memphis, Tennessee, 38120  
Melissa Duke, 658 N. Evergreen, Memphis, Tennessee, 38107  
Lea Holland, 1914 Jackson Avenue, Memphis, Tennessee, 38107  
A. J. Dean, 2934 Capri Street, Memphis, Tennessee, 38118  
Walter Broady, 4256 Ledbetter Cove, Memphis, Tennessee, 38109

**ADJOURNED MEETING AT 4:15 P.M.**

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Upon statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.

\_\_\_\_\_  
CHAIRMAN

Attest:

\_\_\_\_\_  
Deputy Comptroller/Council Records